

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Tuesday 26th March, 2024

No. 119

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No: 32/Home/2024

Dated: 26/03/2024

NOTIFICATION

The State Government hereby declares 19th April, 2024 (Friday), which is the poll date for General Election to the Lok Sabha and State Legislative Assembly of Sikkim, to be observed as Public Holiday and Paid Holiday for all the employees throughout the State of Sikkim under section 135B of the Representation of the People Act, 1951, as reproduced below :-

Section 135B: Grant of Paid Holiday to employees on the day of Poll:

- (a) *Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at an election to the Legislative Assembly of the State shall, on the day of poll, be granted a holiday.*
 - (b) *No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section(1) and if such person is employed on the basis that she/he would not ordinarily received wages for such a day, she/he shall nonetheless be paid for such day the wages she/he would have drawn had not a holiday been granted to her/him on that day.*
 - (c) *If any employer contravenes the provisions of sub-section (1) or sub-section (2), then such employer shall be punishable with fine, which may extend to five hundred rupees.*
 - (d) *This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.*
- (2) The above provisions require that all the electors who are employee of establishments and shops including those which work on shift basis shall be granted a paid holiday on the day of poll in the Assembly Constituency where General Elections are to be held.

Further, there may be cases where a person is ordinarily resident of the Constituency and registered as any elector, may be serving or employed in an industrial undertaking or any establishment located outside the Constituency having General poll. It is clarified that in such a situation, even those electors including casual workers working outside the constituency concerned would be entitled to the benefit of a paid holiday extended under the Section 135B(1) of the Representation of the People Act, 1951.

- (3) The Daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the R.P.Act, 1951.

By Order and in the name of the Governor.

**V.B. Pathak, IAS
Chief Secretary
Government of Sikkim
File No. Home/Confdl./166/2024**